

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **MIGUEL ANGEL RIVERA GARCIA**
SSN xxx-xx-6059

CASE NO: **18-05790-BKT**

Debtor(s)

Chapter 13

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$232.00** Outstanding (Through the Plan): **\$2,768.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
☐ The Trustee cannot determine debtor's/s' commitment period at this time. Projected Disposable Income: **\$0.00**

Liquidation Value: \$0.00 Estimated Priority Debt: \$590.33

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

With respect to the (amended) Plan date: **Nov 29, 2018 (Dkt 13)** **Plan Base: \$27,034.00**

The Trustee: ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.: **0.9 %**

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Debtor is one month, or \$451.00, in arrears with the Trustee. The pending payment pertains to the month of December 2018; which became due on the 1st day of the month.

***OTHER COMMENTS / OBJECTIONS**

Oriental and USDA, secured creditors provided for in the plan, are yet to file their proof of claims. Said creditors will not participate from the disbursements until they file their claims. In absence of said claims Debtor must submit evidence of the secured status of said creditors in order to confirm that the treatment being provided does not constitute unfair discrimination against other parties in the case.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: December 05, 2018

/s/ Nannette Godreau, Esq.

